

Unrestricted Report

ITEM NO: 7

Application No.
21/00978/FUL

Ward:
Crown Wood

Date Registered:
**17 September
2021**

Target Decision Date:
17 December 2021

Site Address:

**Crown Wood Primary School Opladen Way Bracknell
Berkshire RG12 0PE**

Proposal:

**Change of use from amenity land to educational use, including the
erection of 2m high boundary fence.**

Applicant:

Strudley

Agent:

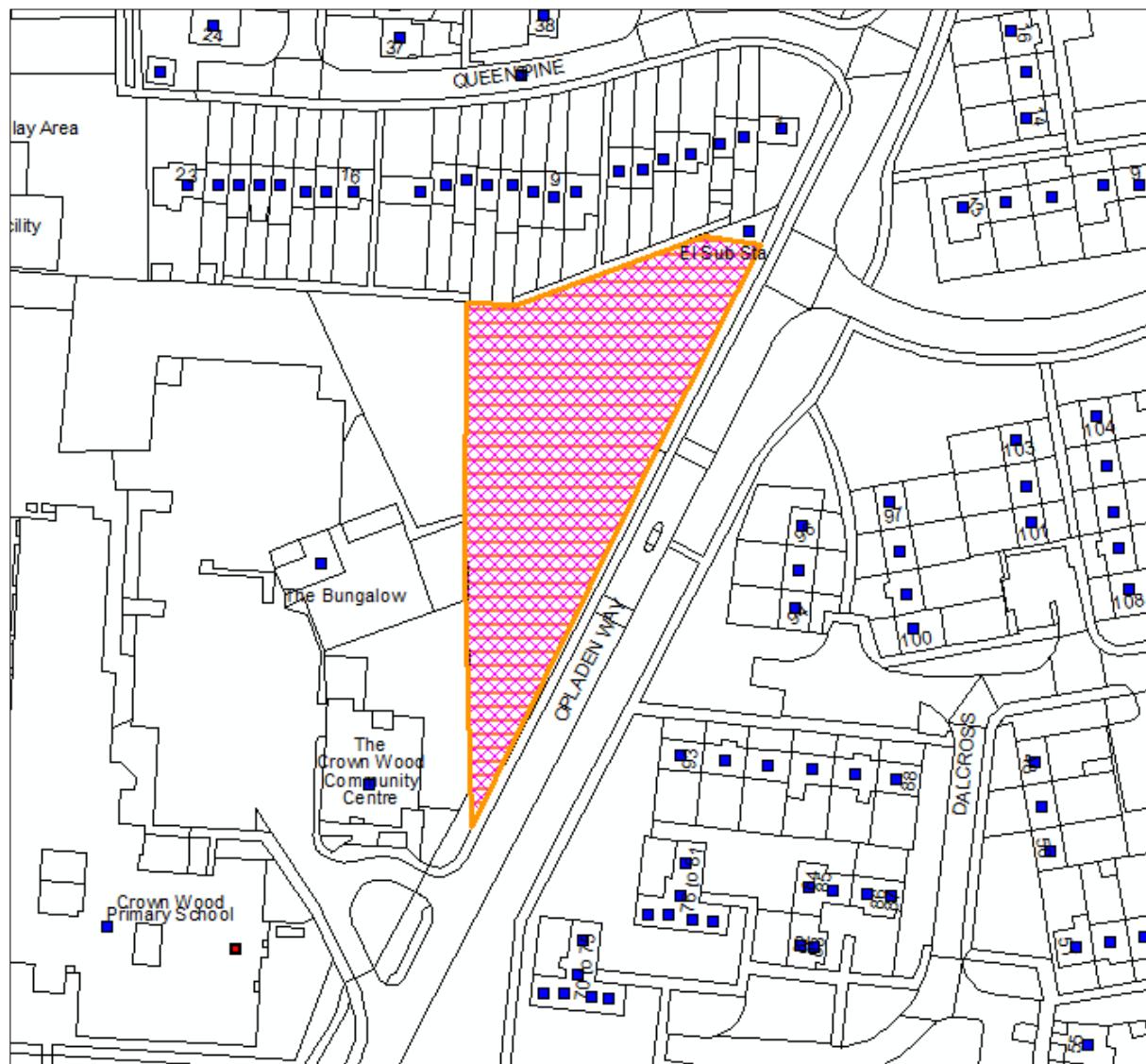
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Case Officer:

Katie Andrews, 01344 352000

Development.control@bracknell-forest.gov.uk

Site Location Plan (for identification purposes only, not to scale)



OFFICER REPORT

1. SUMMARY

- 1.1 This application is for the change of use from amenity land to educational use, including the erection of 2m high boundary fence.
- 1.2 The development relates to a site within the settlement boundary. It is not considered the development would result in the loss of open space or have an adverse impact on the character of the area or the street scene of Opladen Way. The relationship with adjoining properties is acceptable and it would not increase flood risk elsewhere. The proposal has satisfactorily addressed biodiversity issues and a condition is proposed requiring the submission of a management plan for the woodland.

RECOMMENDATION

Planning permission be granted subject to the conditions set out in Section 11 of this report.
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2. REASON FOR REPORTING APPLICATION TO COMMITTEE

- 2.1 The application is before the committee due to the number of objections received and at the request of Cllr Dudley regarding the visual impact of the fence on Opladen Way.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within defined settlement

Surface water flood risk

Active open space of public value designation covers part of the woodland

- 3.1 The application site relates to an existing area of amenity land (woodland). It is located to the north east of the main school buildings of Crown Wood Primary School and located next to an existing area of land within the school grounds used as a Forest School. To the west of the application site is the school carpark and grounds. To the north are terraced houses in Queens Pine. The eastern edge of the site is bounded by Opladen Way.

4. RELEVANT SITE HISTORY

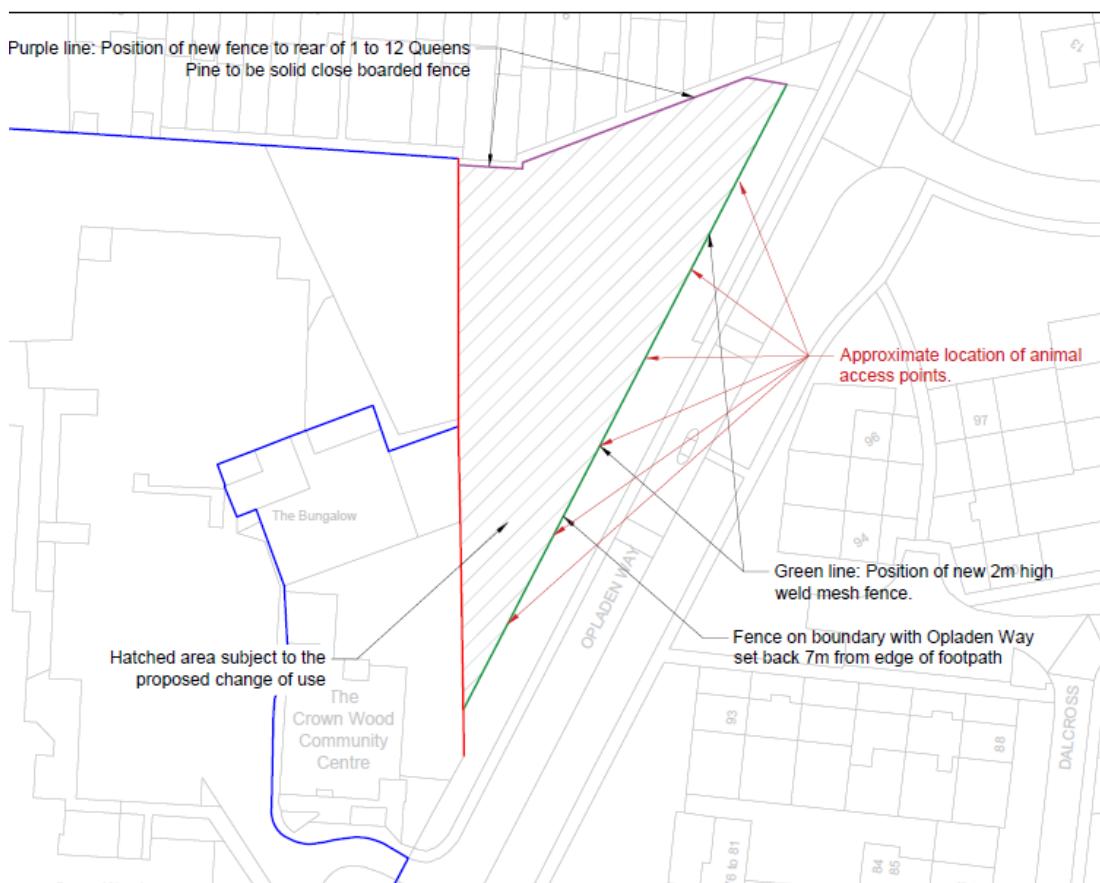
None directly relevant to this proposal.

5. THE PROPOSAL

- 5.1 This is a change of use application from amenity land to educational use, including the erection of a 2m high boundary fence.
- 5.2 The land is proposed to be used for a Forest School and to link up with the existing land used within Crown Wood Primary School as a Forest School.
- 5.3 The proposed fence is shown to be 2m in height and constructed of weld mesh with a powder green finish, fronting Opladen Way. The plans have been amended since

they were first submitted to provide a 2m high close boarded fence to the boundary with the properties in Queens Pine.

- 5.4 The application has also been amended to set the fence fronting Opladen Way back from the footpath by approximately 7 metres such that it will maintain approximately 9 metres from the road. Holes are also required under the fences, for wildlife movement across the site, and these have been shown in approximate locations on the plans.
- 5.5 The applicants have advised that they do not intend to install any permanent structures or play equipment on the site and the idea of a Forest School is that a natural environment for the children to explore is created. There may be temporary structures such as a shelter/seating area created from a parachute and logs. Only scrub will be cleared, where required, and the extent of the required clearance has been advised as being minimal.
- 5.6 During Forest School lessons, children are taught safety rules and skills for using equipment (e.g handsaws, loppers, vegetable peelers and bill hooks) and doing activities such as tree climbing and making a fire.
- 5.7 The children learn about, and respect for, the natural world and get the chance to do activities such as whittling greenwood, cooking over fire, den building, mud kitchen, natural arts and crafts, planting/gardening, bug hunting and role play. The forest is used in all weathers except lightning and high winds. There is an indoor classroom available on site when it gets too cold as well as a chemical toilet.



Proposed site plan

6. REPRESENTATIONS RECEIVED

Bracknell Town Council

6.1 Objects to the change of use of amenity land to residential enclosed by 1.8 m high fence as per BTC Amenity Land policy. They have advised that common reasons for enclosure include an increase of garden area for example to allow for the construction of an extension or to bring the land under control for maintenance, especially to prevent littering, dog fouling or other nuisances. Such areas, particularly if part of the highway, may be important for traffic safety reasons. Other areas may be an integral part of the overall design and layout of an estate, contributing to the appearance and character of that estate. Enclosure, in these cases, particularly by high screen walls and fences, could seriously alter the symmetry and attractiveness of an area and destroy the singular character of an estate or locality. In addition, some verges or amenity areas support trees that contribute to the amenity of the area. *[Officer note: the application is not for a residential use]*

Other Representations

6.2 Twenty letters of objection have been received on the original plans:

- Fence would be out of character and an eyesore.
- Invasion of privacy from woodland to houses in Queens Pine.
- Increased noise from the school as buffer zone removed, 7 days a week.
- Will destroy trees and wildlife.
- Negative impact on wildlife.
- Smells, fumes and smoke from fires.
- Impact on property values *[Officer note: this is not a material planning consideration]*

6.3 Six letters of objection, raising additional comments to the above, have been received on amended plans:

- Proposed Forest School situated too close to Queens Pine houses and would be detrimental to residents who live there.
- Forest School should not be extended.
- Boundary fence adjacent to Opladen Way set back 7 metres but not the same for residential properties.
- Safeguarding issues for the school and residents.
- Woodland should stay as amenity land as not owned or purchased by the Forest School.
- The proposed fence cannot be built as shown on the new location plan, as residents of Queens Pine numbers 3,4,5,6,7,8,9,10,11 and 12 own the fence and maintain it jointly. Require access from both sides. *[Officer note: the plan has been amended to show access to the rear of these properties]*
- Works required to add fences and clear areas on land will have a high human presence in the woodland and force wildlife out.
- Against Forest School ethos.

7. SUMMARY OF CONSULTATION RESPONSES

Lead Local Flood Authority

7.1 No objection.

Highways

7.2 No objection

Environmental Health

7.3 No objection: Recommend a close boarded fence to the boundary with residential properties [Officer Note: The plans have been amended to show this]

Trees

7.4 The application is not controversial or damaging to the trees.

Biodiversity Officer

7.5 No objection subject to a condition requiring the submission and approval of a woodland management plan and holes secured under the fencing.

Thames Water

7.6 No comments to make

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

	Development Plan	NPPF
General policies	CS1 & CS2 of CSDPD	consistent
Design and Character	CS7 of CSDPD, Saved policy EN20 of BFBLP	consistent
Residential Amenity	Saved policy EN20 of BFBLP	consistent
Highway Safety	CS23 of CSDPD, Saved policy M9 of BFBLP	consistent
Open Spaces	CS8 of the CSDPD	Consistent
Supplementary Planning Documents (SPDs)		
Design (2016)		
Other publications		
National Planning Policy Framework (NPPF)		

Bracknell Town Neighbourhood Plan

Policy EV1 Open Space of Public Value

Policy EV4 Protection of Trees

Policy HO8 Buildings: Good Quality Design

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of the development
- ii. Impact on the character of the area and trees
- iii. Impact on residential amenity
- iv. Biodiversity
- v. Flooding

i Principle of the development

9.2 The application site is located within a defined settlement as designated by the Bracknell Forest Borough Policies Map. CSDPD CS8 Recreation and Culture advises that development will be permitted which (i) retains, improves and maintains existing Recreational Facilities; and/or (ii) provides and maintains new Recreational Facilities. Part of the site is identified as active open space, in connection with the school, on the BFBLP Policies Map and part of the site is identified as open space of public value

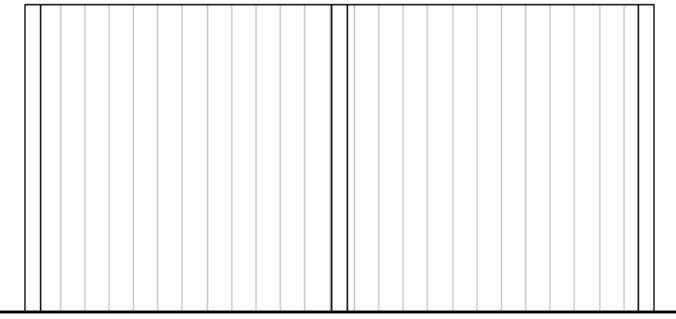
under Bracknell Neighbourhood Plan Policy EV1. Crown Wood School is included on the map as site 218 and this includes part of the woodland under this application under the school's reference. The proposal will therefore not be in conflict with CSDPD Policy CS8 or Policy EV1 of the Neighbourhood Plan as the open space will remain and be used by the school. The remainder of the site is not shown on the open space map and there would be no objection to the school using the woodland for open space associated with Crownwood Primary School.

9.3 Overall, due to its location and nature, the proposal is considered to be acceptable in principle and in accordance with CSDPD Policies CS1 (Sustainable Development), CS2 (Locational Principles), CS8 (Recreation and Culture), Bracknell Town Council Policy EV1 (Open Space of Public Value) and the NPPF subject to no adverse impacts upon character and appearance of surrounding area and trees, residential amenities of neighbouring properties, biodiversity or flooding. These matters are assessed below.

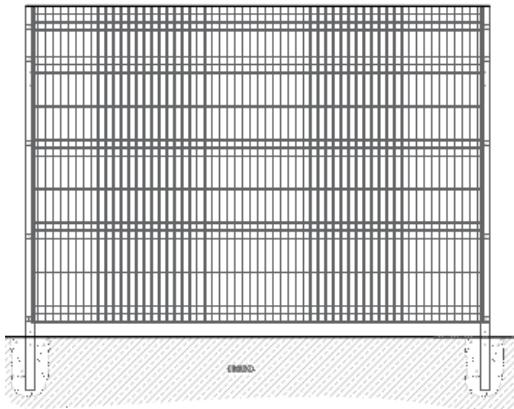
ii. **Impact on character and appearance of the area and trees**

9.4 Saved' policy EN20 of the BFBLP states that development should be in sympathy with the appearance and character of the local environment and appropriate in scale, mass, design, materials etc. Policy CS7 of the CSDPD states that the council would require high quality design for all development in Bracknell Forest. Section 12 of the NPPF emphasises the importance of good design as key to making places better for people to live. Additionally, the NPPF states that the design of development should help improve the character and quality of an area and the way it functions. Policy HO8 Buildings: Good Quality Design of the Bracknell Town Neighbourhood Plan advises that new development proposals will be expected to demonstrate that they use high quality boundary treatments that are in keeping with the local area.

9.5 The land in question relates to an area of approximately 0.28 hectares. The land connects with an existing area of woodland at the school used as a Forest School and fronts Opladen Way. No trees, apart from scrub, are proposed to be removed and no permanent structures are proposed within the woodland. The only material operation which requires planning permission is the erection of 2 metre high fencing and the use of the land as part of the Forest School. The application has been amended to set the fencing approximately 9 metres back from the road where it fronts Opladen Way it would be a green mesh fence. This would ensure that there would be no significant impact to the character of the area with the existing vegetation obscuring the fence, which would itself allow views through due to its mesh construction. Along the boundary with the properties at 1 to 12 Queens Pine, the fence has been amended to be close boarded. This is not considered to raise any design concerns. An arboricultural method of construction statement has been submitted to ensure the construction of the fence will not harm any trees and this can be secured by a planning condition. The fencing is not considered to harm the character of the local area and would be obscured by the existing vegetation.



Close boarded fence to boundary with 1 to 12 Queens Pine



2 metre high weld mesh fence to boundary with Opladen Way

9.6 The Forest School would be contained within the fencing and would be used during school hours and for some extra school activities. As such, the change of use is not considered to have a significant detrimental impact in the character of the area.

9.7 The proposal is not considered to adversely affect the character and appearance of the surrounding area and would be in accordance with 'Saved' policy EN20 of the BFBPLP, Policy CS7 of CSDPD, Policy HO8 of the Bracknell Town Neighbourhood Plan and the NPPF.

iii. Impact on residential amenity

9.8 'Saved' policy EN20 of the BFBPLP states that development will not adversely affect the amenity of surrounding properties and adjoining area. Paragraph 130 of the NPPF states that the Local Planning Authority should ensure high quality amenity for all existing and future occupants of land and buildings.

9.9 The proposed Forest School would be located to the south of the properties in 1- 12 Queens Pine. The school is currently operating a Forest School in the existing area of woodland to the south of properties at 13-17 Queens Pine and Environmental Health have been consulted on the application. They have recommended that the fence is made solid along the boundary with the properties in Queens Pine, which offers a better acoustic barrier and would prevent any smoke travelling from fires on the school side . Whilst it is noted that the school activities would occur closer to the boundary with the residents at 1-12 Queens Pine, than currently, and there may be a slight increase in noise in the immediate vicinity during the Forest School sessions, the site is a small extension from that already in educational use and is unlikely to result in a significant adverse impact on local residents of the site.

9.10 The proposed close boarded fence to the boundary with the properties in Queens Pine and their existing rear boundary treatments, would prevent any overlooking occurring from the Forest School to the residents properties. Views from the rear of the properties in Queens Pine to the Forest School would be obscured by the existing vegetation in the woodland and would be set back at least 10 metres from the boundary not resulting in a significant privacy concern.

9.11 As such, the proposal would not be considered to affect the residential amenities of residents of neighbouring properties to a significant level and would be in accordance with 'Saved' policy EN20 of the BFBLP.

iv. Biodiversity

9.12 Policy CS1 of the CSDPD states that development will be permitted which protects and enhances the quality of natural resources including biodiversity. Policy CS7 of the CSDPD states that development proposals will be permitted which promote biodiversity. 'Saved' policy EN15 of the BFBLP states that external lighting schemes will only be acceptable where they would have no adverse impact on wildlife. These policies are considered to be consistent with the NPPF which states that the planning system should contribute to, and enhance, the natural and local environment by minimising impacts on biodiversity.

9.14 The application is accompanied by an Ecological Mitigation and Enhancement Plan. The report has considered protected species on the site and advises that the development will not result in a loss of habitat for bat foraging, or for invertebrates or reptiles. Nesting birds could be on site from 1 March to 31 August and compliance with the report is recommended to secure that work only takes place at this time under close inspection of an ecologist. The site provides a suitable habitat for hedgehogs and gaps should be created in the new boundary fences to provide community routes through the site. Badgers have been known to have previously been on the site and a badger survey has been provided. The badger survey advises that there has been no recent badger activity on the site and that a licence from Natural England would not be required. Mitigation however should be carried out and a pre commencement badger walkover survey should be undertaken before the change of use commences to confirm that there is no badger activity.

9.15 Following advice from the Council's Biodiversity consultant the plans have been amended so that the fence is set back from the woodland edge and mammal holes will be provided in the fence. This will ensure that any adverse impacts on wildlife is minimal. A condition is recommended to secure a woodland management plan before any works commence.

9.16 The proposal is therefore considered to be in compliance with Policies CS1 and CS7 of the CSDPD

v. Flooding

9.17 It has been identified that an area of surface water flooding runs across the site. Following consultation with the Lead Local Flood Authority they have advised that whilst the development is relatively minor, constituting a fence around an area of woodland, a surface water flow path exists through the centre of the site. However, it is noted that the passage of water would be allowed through the current fence design and it is recommended that any future designs of the fence consider the onward conveyance of surface water.

9.18 Furthermore, they have advised that, given the scale and nature of the development and the direction of flow (from an analysis of the Environment Agency's Risk of Flooding

from surface water mapping), should the fencing cause any blockages of water, flooding would be contained within the woodland area and would not increase flood risk elsewhere.

9.19 It is also noted that the fence would have holes underneath for the passage of wildlife which would help with the passage of water.

10. CONCLUSIONS

9.20 This is a change of use application from amenity land to educational use, including the erection of 2m high boundary fence. The principle is acceptable as it will not result in the loss of existing open space. The plans have been amended since they were originally submitted to set the fence back approximately 7m from the footway, to have a close boarded fence to the northern boundary, and to provide holes under the fencing to Opladen Way. The proposal is considered to have an acceptable impact on the amenity of the surrounding area, with the fence set back from the main road with screening in front. The use of the woodland for a Forest School is not considered to significantly harm the amenity of neighbouring properties due to the nature of the proposal and the existing school use at the site. The proposal has addressed biodiversity and drainage considerations.

9.21 It is therefore considered that the proposed development complies with 'Saved' Policies of the BFBPLP and Policies of the CSDPD, the Bracknell Town Neighbourhood Plan and the NPPF (2021).

11. RECOMMENDATION

The application is recommended to be **APPROVED** subject to the following conditions:-

01. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990

02. The development hereby permitted shall be carried out only in accordance with the following approved plan received by the Local Planning Authority 23 November 2022:

-PL-01-E Site Location Plan.

REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

03. The Arboricultural Method Statement produced by M S (Tree) W Consultancy Ltd shall be complied with in respect to page 9 and the fencing method of construction statement, when the approved fencing is constructed in accordance with approved drawing PL-01-E Site Location Plan.

REASON: To ensure the trees on site are protected.

[Relevant Policies: BFBPLP EN1, CSDPD CS7]

04. The recommendations contained within the arbtech Badger Survey dated March 2022 on page 11, shall be complied with in full, with a pre-commencement badger walkover survey to be undertaken. The results of this survey shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of any development work on site.

REASON: To ensure the protection of a protected species.

[Relevant Plans and Policies: CSDPD CS1, CS7]

05.The method statements contained in the Ecological Mitigation and Enhancement Plan produced by arbtech dated 22 February 2022 regarding pre-commencement nesting bird checks on page 13 and precautionary methods of vegetation removal to prevent injury to reptiles on page 15 shall be complied with in full prior to the commencement of any development works on the site.

REASON: To ensure the protection of a protected species.

[Relevant Plans and Policies: CSDPD CS1, CS7]

06.The development hereby permitted shall not come into use until a woodland/biodiversity management plan has been submitted to and approved in writing by the Local Planning Authority. This shall include the proposed enhancements in the Ecological Mitigation and Enhancement Plan dated 22 February 2022. The plan is to run for a period of five years and is to comprise as a minimum the following:

1. Detailed description and maps of habitats on the site
2. Clear long and short term aims and objectives for the site, to include measures to restore and enhance the woodland and habitats,
3. Prescriptions to achieve the aims and objectives of the plan
4. Details of how the aims, objectives and prescriptions will be monitored, and what processes will be put in place to ensure that the plan is iterative (ensuring its aims and objectives are met and that management is adjusted to ensure that this is the case). The plan is thereafter to be implemented as approved.

REASON: To ensure that the development does not lead to deterioration in the ecological value of the site, and that the development leads to an enhancement of the site's ecological value

[Relevant Policies: CSDPD CS1, CS7]

07. Prior to the erection of the fencing, a plan shall be submitted to and agreed in writing by the Local Planning Authority, based on the approved plan PL-01-E, to show where the gaps and sizes of the holes are proposed under the fencing to allow for the free movements of wildlife. The agreed details shall be implemented under the fencing at its time of construction with the holes being retained as open whilst the fencing is in place.

REASON: To ensure that wildlife has freedom of movement.

[Relevant Policies: CSDPD CS1, CS7]

Informatives

01.The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

02. The applicant is advised that the following conditions require discharging prior to commencement of development: 6, 7

No details are required to be submitted in relation to the following conditions; however they are required to be complied with: 1, 2, 3, 4, 5